

Otay Ranch POM Preserve Management Team Meeting

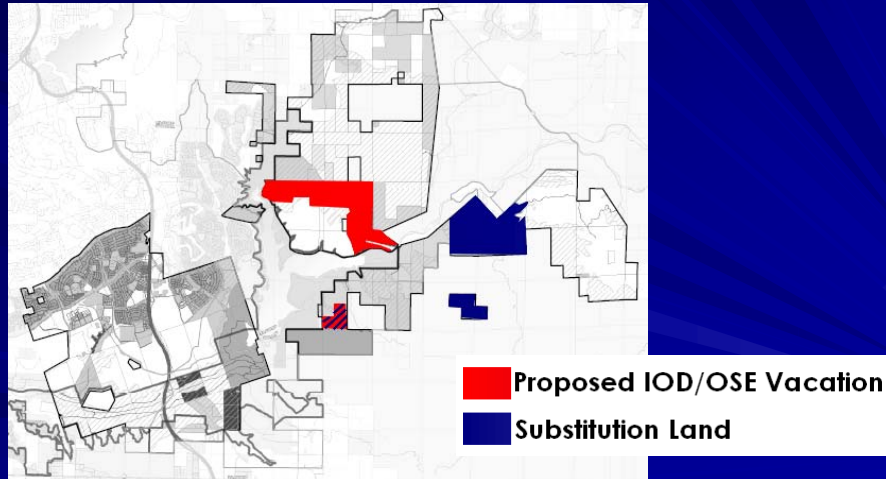
December 2, 2009



Agenda

- Call to Order
- Approval of Meeting Minutes
- Public Comment
- Status Reports
 - IOD/Open Space Easement Vacation/Substitution
 - Future Preserve Owner/Manager Alternatives
- Next PMT Meeting
- Adjournment

IV.A. IOD/Open Space Easement Vacation/Substitution



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IV.A. IOD/Open Space Easement Vacation/Substitution (cont'd)

- **County of San Diego Process**
 - Nov. 4th – Board Mtg to set Vacation Hearing
 - Dec. 9th – Board Vacation Hearing
 - Conditional Vacation
 - Legal and physical access
- **City of Chula Vista Process**
 - Access issues must be resolved prior to approval

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IV.B.1 Lands East of Otay Lakes

- Meetings with Refuge, BLM, CDFG, & CiSD
 - Lands to be managed and monitored per MSCP
 - No CFD funding
 - Trails are compatible use
 - Other allowable uses may include: Hunting and OHV use
 - Land transfer process
 - Land transfer costs
 - Escrow fees
 - Appraisal
 - Title insurance

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IV.B.1 Lands East of Otay Lakes (cont'd)

- Next Steps
 - Determine range of land transfer costs
 - Determine if land transfer costs can be paid using CFD
 - Forward available land information (bio data, title reports, Phase I reports) to public land managers
 - Draft and review Letters of Understanding with Regulatory Agencies and public land managers

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IV.B.2 Jurisdictional POM

■ Overview of Implementation Steps

- Dissolve JPA & amend the GDP/SRP & RMP
 - Each jurisdiction is responsible for policy interpretations and/or future amendments
 - Redefine POM Management Structure
 - Acknowledge lands east of Otay Lakes to be transferred to other public agencies
- Establish MOU between City and County
 - Funding Agreement
 - Payment Rate or Per Acre Cost to manage and monitoring
 - Payment Schedule

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IV.B.2 Jurisdictional POM (cont'd)

■ Implementation Steps (cont'd)

- Each jurisdiction to manage and monitor lands within their jurisdiction
- Consider NGO as the land manager

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IV.B.2 Jurisdictional POM (cont'd)

■ Status Update on Implementation Steps

- Research CFD Property Interest Issue
 - Legal interpretation of CFD provision requiring City to maintain property interest on conveyed lands
 - Discuss options to proceed with implementing Jurisdictional POM
- POM staff to develop MOU Conditions to address:
 - Mechanism to ensure long-term funding to County
 - Funding Agreement to serve as assurance long-term funding and payment is provided to County
 - Appropriate funding rate
 - Two possible rates for management and monitoring may be based on Preserve location (rural and urban interface)

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IV.B.2 Jurisdictional POM (cont'd)

- POM staff to develop MOU Conditions to address (cont'd):
 - Budget Process
 - Document current POM process for preparing other components of annual budget (i.e., admin, operations)
 - Potential budget modifications due to payment delinquency
 - Include provision to allow proportional reduction in budget
 - Future establishment of Village 13 CFD
 - Once Village 13 CFD is established, revenues can be used to fund management and monitoring within jurisdiction CFD is formed

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IV.B.3 PMT Questions Related to CFD

- How do we ensure funding to the County is on-going for management of land within the County's jurisdiction?
 - Need to determine if implementation of Preserve land transfer east of Otay Lakes and Jurisdictional POM will require modification to existing CFD
 - CFD will continue to provide on-going funding
 - Funding Agreement between City and County to memorialize on-going payments to the County

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IV.B.3 PMT Questions Related to CFD (cont'd)

- How may the existing CFD be impacted if we are reducing the acreage of Preserve land by transferring lands east of Otay Lakes? Will we have the ability to continue to tax the District as we are today?
 - CFD will not be impacted because amount collected from District (Benefit Area) is not based on the acreage of Preserve land
 - The CFD special tax applied to District is dependent on the budget created by POM
 - The Rate and Method of Apportionment (RMA) is not based on Preserve acreage, but based on the management and monitoring budget

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IV.B.3 PMT Questions Related to CFD (cont'd)

- Can we tax new communities annexed into the District for mitigation land that may be managed by another public agency?
 - New communities annexed into District (and existing taxable parcels) will be taxed based on management and monitoring budget for remaining Preserve land
 - The CFD special tax applied to District is dependent on the budget created by POM
 - Purpose of CFD is to provide funding for management and monitoring of Preserve
 - CFD does not specify funds to be used on project-specific mitigation lands

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V. Next PMT Meeting

■ Next Steps

- Policy interpretation from legal counsel on CFD
- Follow-up tasks related to implementation of Jurisdictional POM
- Develop implementation task list and schedule
- Explore NGO as land manager prior to implementation of Jurisdictional POM

■ Next meeting

- Anticipated for February/March 2010

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V. Next PMT Meeting

- TBD, anticipated for February/March 2010